

In re: : Case No.: 15-20855-GLT
: Chapter: 13
Marlon E. Youngblood :
Lisa R. Baldwin :
: Date: 11/18/2020
Debtor(s). : Time: 10:00

PROCEEDING MEMO

MATTER: # 129 Motion for Relief from Stay re: 405 North Holland Avenue, Braddock, PA 15104
filed by MidFirst Bank
136 - Response filed by the Debtors
139 - Proposed Order re: Withdraw of Motion for Relief from Stay

APPEARANCES:
Debtor: Albert G. Reese

NOTES: (10:22)

Court: I note that a discharge has been entered and the movant sought to withdraw its motion. Has the issue been resolved?

Reese: No, it hasn't. We never resolved the issue in the motion for relief that the debtor was behind in mortgage payments. I tried to reach the counsel that filed the withdrawal, but he no longer works at that firm anymore.

Court: I assumed from the withdrawal that there was a resolution of the matter.

Reese: I called the number listed on the withdrawal and a recording told me he was no longer with the group.

Court: It seems like from the motion the debtors didn't take over the post-bankruptcy payments. It was current through the end of May and then the objection indicates there were arrears of approximately 5 months. Have the debtors started to make the payments?

Reese: Yes, I confirmed with him that he sent payments in. But I haven't been able to confirm they've been received.

Court: No one consulted you on the proposed order?

Reese: They asked if I consented to the motion. And I'm not sure I asked if the debtor was current in that email communication.

Court: Can you obtain proof from your client of payments from June to now?

Reese: Yes.

Court: If you can obtain proof and file it with proper redactions and send a copy to the firm representing Midfirst. I will continue this to January 13 at 9 a.m. Within 21 days, file proof of payment all direct payment the debtor has made to MidFirst for any mortgage obligation due from June 1 through October 31, 2020. MidFirst to evaluate and respond to the debtors submission and indicate whether or not those payments have been acknowledged. Has the debtor received mortgage statements?

Reese: I didn't ask.

Court: That would be a good first step.

OUTCOME:

1. MidFirst Bank's *Motion for Relief from Stay re: 405 North Holland Avenue, Braddock, PA 15104* [Dkt. No. 129] is CONTINUED to January 13, 2021 at 9 a.m. Counsel for MidFirst Bank shall appear at the continued hearing. On or before December 9, 2020, the Debtors shall file proof of all mortgage payments made to MidFirst from June 1, 2020 through October 31, 2020. MidFirst shall file a response to the statement on or before December 23, 2020. The Court shall retain jurisdiction to address the motion and any related factual disputes. [Chambers to Issue]

DATED: 11/18/2020